

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 85 final

Brussels, 1 March 1978

Proposal for a  
COUNCIL REGULATION (EEC)

extending Regulation (EEC) No 1078/77 introducing a system of  
premiums for the non-marketing of milk and milk products and  
for the conversion of dairy herds

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Proposal for a  
COUNCIL REGULATION (EEC)

laying down a transitional measure for the Community financing  
of a consumer subsidy for butter referred to in Regulation (EEC)  
No 880/77

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(submitted to the Council by the Commission)

COM(78) 85 final

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EXPLANATORY MEMORANDUM

1. In the event of the Council not fixing prices for the 1978/79 marketing year and the proposed related measures until after 1 April 1978,
  - a) premiums pursuant to Regulation (EEC) No 1078/77 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds could not be applied for from 1 April 1978 until the date on which the relevant amendments to be proposed take effect,
  - b) the application in the United Kingdom of Regulation (EEC) No 880/77 on the granting of a consumer subsidy for butter would be called into question in the absence of specific provisions relating to Community financing of the subsidy granted in the United Kingdom.
2. It is therefore proposed that the Council adopt the enclosed draft Regulations, before 1 April 1978, so as to fill the abovementioned legal vacuum.



Proposal for a  
**COUNCIL REGULATION (EEC)**

extending Regulation (EEC) No 1078/77 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds (1), and in particular Article 13(2) thereof,

Having regard to the proposal from the Commission,

Whereas Article 9 of Regulation (EEC) No 1078/77 provides that the final date for the application of its measures is 31 March 1978; whereas, under Article 13 thereof, the Commission intends to propose to the Council that the measure be continued subject to certain amendments;

Whereas pending the possible adoption of this proposal, the current provisions of Regulation (EEC) No 1078/77 should be extended until the end of the 1977/78 milk year,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 9 of Regulation (EEC) No 1078/77, the second sentence is hereby amended to read as follows:

"The measures provided for in this Regulation shall be applied until the end of the 1977/78 milk year".

Article 2

This Regulation shall enter into force on 1 April 1978.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission

Proposal for a

COUNCIL REGULATION (EEC)

laying down a transitional measure for the Community financing of a consumer subsidy for butter referred to in Regulation (EEC) No 880/77

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and in particular Article 43 thereof,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products<sup>(1)</sup>, as last amended by Regulation (EEC) No /78<sup>(2)</sup>, and in particular Article 12 (2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>(3)</sup>,

Whereas Council Regulation (EEC) No 880/77 of 26 April 1977 on the granting of a consumer subsidy for butter<sup>(4)</sup>, authorizes Member States to grant, in favour of final private consumers, a subsidy for butter which may not exceed determines the method of calculating the Community financing of the said subsidy by way of derogation from the arrangements referred to in Article 3 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy<sup>(5)</sup>, as last amended by Regulation (EEC) No 2788/72<sup>(6)</sup>;

Whereas special financing rules, applicable until 31 December 1978, exist for the United Kingdom;

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- (1) OJ No L 148, 28. 6.1968, p. 3  
(2) OJ No L  
(3) OJ No C  
(4) OJ No L 106, 29.4.1977, p. 31  
(5) OJ No L 94, 28.4.1970, p.13  
(6) OJ No L 295, 30.12.1972, p.1

Whereas for the period from 1 April to 31 December 1978 the level of Community financing must be determined so as progressively to align these special financing rules with the Community financing of the subsidy; whereas a decision in this area, for the whole of the abovementioned period, will be taken as part of the fixing of prices for the 1978/79 milk year; whereas consequently, as a transitional measure, an ad hoc provision should be laid down covering only the period from 1 April 1978 to the end of the 1977/78 milk year;

HAS ADOPTED THIS REGULATION:

Article 1

During the period from 1 April 1978 to the end of the 1977/78 milk year, the Community financing of the subsidy granted to the United Kingdom referred to in Article 3(1) of Regulation (EEC) No 880/77 shall amount:

- in respect of that portion of the subsidy not exceeding 28 units of account per 100 kilograms : to 100%,
- in respect of that portion of the subsidy in excess of 28 units of account per 100 kilograms : to 25%.

Article 2

This Regulation shall enter into force on 1 April 1978.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council